

MEETING MINUTES

Agriculture Water Quality Authority

Thursday, November 16, 2017

300 Sower Blvd. Training Room A

In attendance: Ms. Kim Richardson, Agriculture Water Quality Authority Chair and Director of Division of Conservation; Mr. Larry Thomas, Vice Chair and Kentucky Farm Bureau; Mr. Allen Kyle, Member-at-large; Mr. Peter Goodmann, Director of Division of Water; Mr. Allan Bryant, Kentucky Association of Conservation Districts; Mr. Joseph Sisk, Member-at-Large; Dr. Amanda Gumbert, University of Kentucky College of Agriculture; Mr. Brent Burchett, Kentucky Department of Agriculture; Ms. Amanda Moore, Natural Resources Conservation Service (NRCS); Ms. Angela Billings, Department for Public Health; and Mr. Chuck Taylor, Kentucky Geological Survey.

Also in attendance: Ms. Johnna McHugh, Assistant Director, Division of Conservation; Mr. Jim Roe, Division of Water; Mr. Michael West, Energy and Environment Cabinet/Office of General Counsel; Mr. Ernest Collins, concerned citizen; Mr. Joe Cain, Kentucky Farm Bureau; Mr. Pete Cinnotto, United States Geological Survey; Mr. Tony Burnett, Natural Resources Conservation Service; Mr. Larry Taylor, Energy and Environment Cabinet, Department for Environmental Protection; Mr. Jack Stickney, Kentucky Rural Water Association; Mr. Tod Griffin, Agribusiness Association of Kentucky; Mr. Mike Farmer; and Mr. Jeff Gravitt, Division of Conservation.

Quorum was met.

Meeting Called to Order – at 9:35 AM by Ms. Kim Richardson with board introductions.

Ms. Kim Richardson introduced Mr. Larry Taylor. Mr. Larry Taylor informed the board of the following Emergency Planning and Community Right-to-Know Act (EPCRA) information:

- Superfund Amendments and Reauthorization Act (SARA).
 - Section 313 Emergency Planning and Community Right-to-Know Act requires certain facilities to report both routine and accidental chemical releases.
- Superfund Amendments and Reauthorization Act (SARA) Tier 2 reporting.
 - Mandated by Section 312 of the Emergency Planning and Community Right-To-Know Act (EPCRA) – also known as **SARA** Title III – the **Tier II** form captures information about the types, quantities and locations of hazardous chemicals at a given facility.

- Superfund Amendments and Reauthorization Act (SARA) Section 304.
 - EPA finalized several changes to the Emergency Planning and the Emergency Release Notification (Section 304) these changes include clarification on how to report hazardous chemicals in mixtures, and changes to Tier I and Tier II forms. Additionally, the rules now use a question and answer format. Facilities subject to EPCRA reporting, State Emergency Response Commissions (SERCs), Local Emergency Planning Committees (LEPCs) and fire departments
- EPA Provides Update on CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms.
- On November 22, 2017, the DC Circuit Court of Appeals granted EPA's motion to further stay the mandate until January 22, 2018.
- Farms with continuous releases do not have to submit their initial continuous release notification until the DC Circuit Court of Appeals issues its order, or mandate, enforcing the Court's opinion of April 11, 2017.
- No reporting is necessary until the mandate is issued.
- To expedite initial continuous release notification to the National Response Center, the temporary email option may be used.

Approval of previous meeting minutes – Approval for August 24, 2017 minutes was brought before the board. Mr. Larry Thomas made a motion to approve and Mr. Brent Burchett seconded motion. **Motion carried.**

2018 Meeting schedule – Ms. Kim Richardson discuss possible dates for the upcoming year with the board deciding on the following dates:

- February 8, 2018 – 300 Sower Blvd. Frankfort, Kentucky.
- June 7, 2018 – 300 Sower Blvd. Frankfort, Kentucky.
- August 23 – Kentucky State Fair Louisville, Kentucky.
- November 8 – 300 Sower Blvd. Frankfort, Kentucky.

Presentation of the Kentucky Agriculture Water Quality Video – Dr. Amanda Gumbert gave a video presentation of the following Kentucky farmers:

- Jon Bednarski with Sherwood Acres Farm
- Roni Hils with Berkley Green Farm
- Tee Ray with TNT

Authority Members Comments – Mr. Allen Kyle and Mr. Pete Cinotto discussed water way settlement and how it can become an issue. Mr. Pete Cinotto said that more data and continued water monitoring.

Mr. Allen Kyle discussed the need for funding for the AWQA. This has been talked about in the past. Mr. Allen Kyle stated that fair amount would be \$250,000.00. Funds would only be distributed with board approval. If funding is going to be requested, it would need to be decided upon by February before the budget deadline.

Mr. Pete Goodmann discussed the need to have AWQA board elections. Mr. Pete Goodmann asked the board to have elections take place at the next board meeting and every odd year thereafter. Mr. Pete Goodmann made a motion to approve and was seconded by **Mr. Joseph Sisk. Motion carried.**

Mr. Pete Goodmann asked that the AWQA bylaws and the past four meeting minutes be added to the AWQA handout books. Mr. Pete Goodmann made a motion to approve and was seconded by Dr. Amanda Gumbert. **Motion carried.**

Comments from interested parties – No comments were made.

Adjourn – Motion to adjourn was made by Mr. Allan Bryant and seconded by Mr. Allen Kyle. **Motion carried.**